

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: U.S. Patent No. 6,309,650

Inventors: Hyun Su Kim et al.

Issue Date: October 30, 2001

For: ATTENUATED JAPANESE ENCEPHALITIS VIRUS ADAPTED TO VERO
CELL AND A JAPANESE ENCEPHALITIS VACCINE

Assignees: Cheil Jedang Corporation
Government of the United States, as represented by the Secretary of the Army

Date: August 17, 2009

Mary Till
Office of Patent Legal Administration
United State Patent and Trademark Office
600 Dulaney Street, Room 7D55
Alexandria, VA 22314

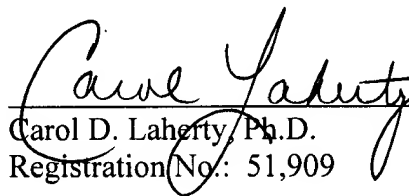
AMENDMENT TO APPLICATION FOR EXTENSION OF PATENT

TERM UNDER 35 U.S.C. §156

Supplementary to the application for patent term extension timely filed on May 28, 2009, please find attached an amended page 12, marked to show changes, which corrects a typographical error in the patent number, and a clean copy of the same,.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC


Carol D. Laherty, Ph.D.
Registration No.: 51,909

Enclosures:

Amended page 12 (marked)

Amended page 12 (clean copy)

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- a. 35 U.S.C. §156(a)(5)(A); 37 CFR §1.720(e)(i)

The commercial marketing or use of the product IXIARO® after the regulatory review period is the first permitted commercial marketing or use of the product under the provision of the Public Health Service Act (42 U.S.C. § 262) under which such regulatory review period occurred.

- b. 35 U.S.C. §156(c)(4); 37 CFR §1.720(h)

No other patent has been extended for the same regulatory review period for the product IXIARO®.

- c. 35 U.S.C. §156(d)(1); 37 CFR §1.720(f)

This application is submitted within the permitted 60 day period beginning on the date the product first received permission for commercial marketing or use.

Applicant is of the opinion that U.S. Patent No. 6,309,650~~7,057,053~~ is eligible for extension under 35 U.S.C. § 156 for 1588 days, as determined pursuant to 37 CFR §1.775 as follows:

Patent Information:

Patent Issue Date	October 30, 2001
Earliest non-provisional priority date	August 25, 1998
Days Extension under 35 U.S.C. 154(b)	0
Original Expiration Date	August 25, 2018

FDA Information:

IND Effective Date	October 9, 1999
BLA Submission Date	December 20, 2007
BLA Approval Date	March 30, 2009

- a. 35 U.S.C. §156(a)(5)(A); 37 CFR §1.720(e)(i)

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